

ICUMSA 110A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Lopez, et al.) Group Art Unit 2764
Appl. No.	:	09/213,138)
Filed	:	December 16, 1998) I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Board of Patent Appeals and Interferences, P.O. Box 2327 Arlington, VA 22202, on
For	:	SYSTEM AND METHOD FOR BROWSING AND COMPARING PRODUCTS) <u>June 28, 2002</u> (Date)
Examiner	:	Steven R. Wasylchak) _____ Douglas G. Muehlhauser, Reg. No. 47,048

SUPPLEMENTAL APPEAL BRIEF

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BOARD OF PATENT APPEALS AND INTERFERENCES

P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Appellant, ICU Medical, Inc. ("Appellant"), submits this Supplemental Appeal Brief in furtherance of its requested reinstatement of appeal ("the Appeal") in the above-captioned matter.

After receiving a Final Office Action in April of 2001 (the "Final Office Action"), Appellant noticed an appeal and submitted an appeal brief in November of 2001. With no further briefing or any decision on the merits, the Examiner reopened prosecution in a new, non-final Office Action (the "New Office Action") mailed on April 2, 2002. Appellant has requested reinstatement of the appeal and submits this Supplemental Appeal Brief thereon.

Appellant notes that the New Office Action, which states new rejections, neither withdraws nor maintains any of the rejections stated in the Final Office Action originally appealed from. Thus, Appellant does not believe that any of the rejections stated in the Final Office Action are still relevant. However, to the extent any or all of those rejections are still relevant, Applicant hereby incorporates by reference the entirety of the original Appeal Brief.

Presuming the present rejections are limited to those stated in the New Office Action, Appellant presently seeks review of the rejection of each of the pending claims (1-16) under 35 U.S.C. § 102(e). A copy of the New Office Action is attached as Exhibit G. Because the cited

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prior art reference does not disclose each and every limitation of any of the pending claims, the Board should reverse all of the rejections.

Appellant respectfully requests that the new rejections be reviewed expediently to minimize any reduction in the potential patent term -- now running from the date of filing of the present application -- caused by this second, reinstated appeal.

I. REAL PARTY IN INTEREST

The real party in interest is ICU Medical, Inc., having a principal place of business at 951 Calle Amencer, San Clemente, CA 92673.

II. RELATED APPEALS AND INTERFERENCES

Appellant and Appellant's legal representative know of no other appeals or interferences which will directly affect or be directly affected by or have a bearing on any decision by the Board of Patent Appeals and Interferences (the "Board") in this Appeal.

III. STATUS OF CLAIMS

Claims 1-16 are pending, and no claims have been cancelled or amended. Claims 1-16 are the claims appealed.

IV. STATUS OF AMENDMENTS

No Amendments have been filed subsequent to the Final Office Action.

V. SUMMARY OF INVENTION

The invention provides a system and method permitting users to locate, browse and compare products by providing information about different, but corresponding products, such as competing products offered by a competing merchant. Spec. at 1, lines 5-7. Thus, for example, a user can supply or select a model number associated with a product of a merchant's competitor, and the invention uses the model number to locate and provide information about a corresponding product offered by the merchant. *Id.* at 2, lines 17-19. Among other uses, the invention may be useful to a merchant in allowing a prospective buyer, who is intimately familiar with the model numbers for a competitor's product line, to easily browse and compare the

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merchant's corresponding product line, thus allowing the prospective buyer to perform meaningful browsing with little prior knowledge of the merchant's product line. *Id.*

Thus, the invention relates to a system for browsing one or more products using information about one or more different, but corresponding products. The system includes a product database, *e.g.*, Fig. 4 item 210, having data that represent a product, *e.g.*, Spec. at 9:8-27, Fig. 4 item 404, a corresponding product, *e.g.*, Spec. at 11:1-18, Fig. 4 item 434, and an association between them, *e.g.*, Spec. at 11:31-12:10, Fig. 4 items 458, 462. The system also includes a dynamic page file, *e.g.*, Spec. at 14:32, Fig. 8 item 802, for generating an electronic store page, *e.g.*, Fig. 8 item 808. The dynamic page file has instructions that use the corresponding product data to retrieve the product data from the product database, and the generated electronic store page includes the product data. *E.g.*, Spec. at 15:6-16:16. When the electronic store page is requested, a server can access the dynamic page file, process the instructions, and provide the electronic store page. *Id.* In addition, the invention may facilitate cost comparison by receiving cost and quantity information about a product, and then providing an indication of the savings that a buyer would realize in buying the same quantity of a corresponding product. *E.g.*, Spec. at 19:21-20:26.

The invention also relates to a method for locating information about a product using information about a competing product. The method involves transmitting a hyperlink operatively associated with an identifier representing a corresponding product and another identifier representing a corresponding product page file. *E.g.*, Spec. at 18:8-29, Figs. 10A and 10B items 1026, 1028, 1032, 1034, 1036. When the hyperlink is received and displayed with information identifying a product, it causes, upon selection by a user, the transmission of a request for a corresponding product page. *Id.*

The invention further relates to an e-store dynamic page file. *E.g.*, Spec. at 18:8-23, Fig. 10A item 1024. The e-store dynamic page file has static content including content tags that can be interpreted to format the content. *E.g.*, Fig. 8 item 806, Fig. 10A item 1030. The e-store dynamic page file also has script components. *E.g.*, Fig. 8 items 810, 816, 822. The script components include connection instructions that establish a connection to a product database. *E.g.*, Spec. at 18:10, Fig. 8 item 812. The script components also include query instructions that use a search key to obtain from the product database one or more records having information about competing products. *E.g.*, Spec. at 18:10-13, Fig. 8 item 814. The script components

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further include hyperlink creation instructions to create a hyperlink for each record obtained, each hyperlink referring to a corresponding product page file and each hyperlink including an identifier representing a corresponding product. *E.g.*, Spec. at 18:15-19, Fig. 8 items 824, 830.

The invention also relates to certain means comprising a system for locating information about products. Thus, the invention includes associating means for storing an association between a product and a corresponding product. *E.g.*, Spec. at 11:31-12:10, Fig. 4 items 456, 458, 462. The invention also includes requesting means responsive to an identification of the product to request information about the corresponding product. *E.g.*, Spec. at 16:7-16, Fig. 8 item 838. The invention further includes query means for using the identification of the product to access the associating means to obtain information about the corresponding product. *E.g.*, Spec. at 15:10-28, Fig. 8 item 814. Additionally, the invention includes information assembly means responsive to the request to invoke the query means and format the information about the corresponding product. *E.g.*, Spec. at 15:30-31, Fig. 8 item 818, 832. Also, the invention includes transmitting means for presenting the formatted information about the corresponding product. *E.g.*, Spec. at 8:5-9, Fig. 2 item 202.

The invention also relates to a series of steps for retrieving information about a product using information about another product. Accordingly, the invention includes steps for storing information about first and second sets of products, and an association between them. *E.g.*, Spec. at 9:3-7, Fig. 3 items 302, 306, 308. The invention also includes a step for establishing a connection between client and server computers. *E.g.*, Spec. at 7:26-8:3, Fig. 1 items 110, 114, 116, 118. Also, the invention also includes steps for transmitting a product identifier representing the first set of products to the server, and receiving a competing product identifier representing the second set of products. *E.g.*, Spec. at 18:21-29, Fig. 10A items 1032, 1036.

VI. ISSUES

1. Whether Claims 1-16 are unpatentable under 35 U.S.C. § 102(e) over U.S. Patent No. 6,016,504 to Arnold et al.

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VII. GROUPINGS OF CLAIMS

With regard to Issue No. 1 above, Claims 1-16 do not stand or fall together as unpatentable under 35 U.S.C. § 102(e) over U.S. Patent No. 6,016,504. Rather, Claims 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 are separately patentable.

VIII. ARGUMENT

A. Introduction

Well over a year ago, the claims in Appellant's application stood rejected by Final Office Action, based on alleged unpatentability under 35 U.S.C. §§ 102(e) and 103. Despite the Examiner's rejections, Appellant believed strongly that all claims were allowable. Thus, Appellant chose to appeal the rejections. Many months passed and now, having received no decision on the merits on the appeal, Appellant's application has undergone new examination, the old rejections apparently withdrawn. Now, all of Appellant's claims again stand rejected, this time based on a new prior art reference. Despite the new rejections, Appellant still believes strongly that all of the claims are allowable.

The Examiner has reopened prosecution by rejecting all pending claims (1-16) as unpatentable under 35 U.S.C. § 102(e) over U.S. Patent No. 6,016,504 to Arnold et al. ("Arnold"). For convenience, a copy of Arnold is attached hereto as Exhibit H. Respectfully speaking, Arnold does not disclose each and every limitation of any of the pending claims. Thus, each pending claim is patentable over Arnold, and the Board should reverse the Examiner's rejection of each claim.

Other than the rejections based on Arnold, the Examiner raised no other rejection or objection. Because Arnold does not demonstrate any of the pending claims to be unpatentable, each of the pending claims should now be allowable.

B. A Patent Claim Is Not Unpatentable Under 35 U.S.C. § 102(e) Unless A Single Prior Art Reference Discloses Each And Every Limitation Of The Claim

Section 102 of Title 35 of the United States Code sets out conditions under which a person may not be entitled to a patent claim due to a lack of novelty. The New Office Action cites Section 102(e) as the sole basis for the Examiner's belief that Appellant's claims are unpatentable. Under that Section, a person is entitled to a patent unless "the invention was

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described in a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent . . . ". 35 U.S.C. § 102(e)(2).

A patent claim cannot be unpatentable under Section 102(e) unless the cited prior art reference discloses each and every limitation of the patent claim. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999); *In re Lowry*, 23 F.3d 1579, 1584 (Fed. Cir. 1994). In both the *In re Robertson* decision and the *In re Lowry* decision, the Federal Circuit reversed the judgment of the Board of Patent Appeals and Interferences, the Appellate Court concluding that the patent claims were not unpatentable under Section 102(e) because the prior art reference did not disclose each and every limitation of the claims. Likewise, in this case, the prior art cited in the New Office Action does not disclose each and every limitation of any of Appellant's claims.

Moreover, the Federal Circuit has consistently held that there can be no anticipation under Section 102, unless a single prior art reference discloses "exactly" the claimed invention. *E.g.*, *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 780 (Fed. Cir. 1985) (relying upon the "many holdings of this court and its predecessors that anticipation under § 102 can be found only when the reference discloses **exactly** what is claimed . . .") (emphasis added). In this case, the cited prior art reference does not even come close to disclosing what Appellant has claimed.

C. Arnold Does Not Disclose Each And Every Limitation Of Any Of The Pending Patent Claims

As demonstrated in the following subsections, the cited Arnold reference does not disclose each and every limitation of any of the patent claims pending in this case. Therefore, the rejections should be reversed.

Arnold discloses a system and method for maintaining a relationship between two entities, a merchant Web site and a virtual outlet Web site that offers the merchant's products for sale. *See Arnold*, abstract. The system disclosed in Arnold allows a consumer to locate and purchase a merchant's products by accessing a virtual outlet Web site, possibly linking to the merchant's Web site for more detailed product information. *Id.* Thus, a consumer can access a virtual outlet, receive information about a product depicted on a virtual outlet Web page, and then select a depicted product to receive more information about **the same product** or purchase **the same product**.

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In contrast, aspects of Appellant's inventions relate to browsing and locating products using information about different products. For example, Appellant's invention allows a user to browse or locate a product from one merchant using information about another merchant's competing product. Arnold does not disclose or even suggest such invention.

1. **Claim 1 is Allowable over Arnold**

Claim 1 reads as follows:

1. A system for browsing products using competitor information, the system comprising:

a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said competing product, said product database stored on a computer readable medium;

a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said dynamic page file stored on said computer readable medium; and

a product information server responsive to a customer request for said electronic store page to access said dynamic page file, to process said instructions and to provide said electronic store page to said customer, said product information server running on a computer operably connected to said computer readable medium.

In the New Office Action, the Examiner rejected Claim 1 in the belief that Arnold anticipates the claim. But a limitation-by-limitation analysis of the rejection shows that Arnold does not anticipate Claim 1.

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a. Arnold Does Not Disclose The Product Database Of Claim 1

The Examiner first addressed the following portion of Claim 1: **a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said competing product, said product database stored on a computer readable medium.** In arguing that Arnold discloses that portion of Claim 1, the Examiner cited to Figures 1A and 1B and to claim 2 and 27 of Arnold.

Nothing in Figure 1A or Figure 1B or Claims 2 or 27 discloses a **product database**. While Claim 2 mentions a database, that database only stores "information describing a desired layout" of a Web page. Such database also appears to be disclosed at Column 7, lines 55-60 of Arnold. But a database storing information about a layout of a Web page is not a product database. Claim 27 also mentions a database, but that database includes only "an identification of the virtual outlet and representative interface aspects." Thus, the database mentioned in Claim 27 is not a product database.

Appellant has studied Arnold in its entirety and can find no disclosure of a product database.

Moreover, Arnold nowhere discloses **data representing a competing product**. Figure 1B, cited by the Examiner, illustrates graphical pictures which appear to represent products -- a shirt ("1B13"), pants ("1B14"), and a hat ("1B15"). But there is no disclosure anywhere of data representing any competing products.

Also, Arnold fails to disclose **data representing an association between said product and said competing product**. Appellant has studied Arnold, particularly Figures 1A and 1B and Claims 2 and 27 as cited by the Examiner, and can find no disclosure of data representing an association between a product and a competing product.

Because Arnold fails to disclose a product database in any form, and because Arnold also fails to disclose data representing a competing product and data representing an association between a product and a competing product, Arnold cannot render Claim 1 unpatentable under Section 102(e).

b. Arnold Does Not Disclose The Dynamic Page File Of Claim 1

The Examiner next addressed the portion of Claim 1 that reads: **a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said**

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second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said dynamic page file stored on said computer readable medium. The Examiner cited Figures 1A and 1B and column 7, lines 40-66 as disclosing the dynamic page file of Claim 1.

The cited portion of Arnold describes a merchant computer that dynamically creates a Web page in accordance with a layout specified in a database. *See Arnold*, col. 7, lines 58-65. But neither that description nor any other part of Arnold discloses a dynamic page file that includes instructions to use second data (representing a competing product) as a query parameter to obtain first data (representing a product) from a product database. Arnold does not disclose the use of any data representing any product as a query parameter, and further does not disclose any file that includes instructions for such use of such data. Still further, Arnold does not disclose generating an electronic store page where data representing a product is obtained from a product database and displayed on the electronic store page.

Nothing in Arnold even comes close to disclosing the dynamic page file of Claim 1. Thus, Arnold does not render Claim 1 unpatentable.

c. Arnold Does Not Disclose The Product Information Server of
Claim 1

The Examiner also assessed the final portion of Claim 1 that reads, in part: **a product information server responsive to a customer request for said electronic store page to access said dynamic page file, to process said instructions and to provide said electronic store page to said customer.** The Examiner cited Figures 1A and 1B and column 7, lines 40-66 as disclosing the product information server of Claim 1.

Again, the cited portion of Arnold merely describes a merchant computer that dynamically creates a Web page in accordance with a layout specified in a database, and sends the Web page to a customer computer. *See Arnold*, col. 7, lines 58-66. But nowhere does Arnold disclose a product information server capable of processing instructions to use second data (representing a competing product) as a query parameter to obtain first data (representing a product) from a product database. Arnold simply does not describe such a product information server, and thus cannot render Claim 1 unpatentable.

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Additionally, the product information server of Claim 1 provides an example of additional distinction over the prior art than that of Claim 15, thus showing Claim 1 is separately patentable.

d. Arnold Does Not Render Claim 1 Unpatentable

Under Section 102(e), Claim 1 cannot be rendered unpatentable unless each and every limitation of Claim 1 is disclosed in Arnold. *Robertson*, 169 F.3d at 745. Because Arnold fails to disclose the **product database**, the **dynamic page file** and the **product information server** of Claim 1, Arnold cannot possibly render Claim 1 unpatentable. There is no other basis for rejection of Claim 1. Thus the Board should reverse the rejection based on Arnold and allow Claim 1.

2. Claim 2 is Allowable over Arnold

Claim 2 is dependent upon Claim 1. Therefore, because Arnold does not disclose each and every limitation of Claim 1, Arnold cannot disclose each and every limitation of Claim 2.

It is axiomatic that if a reference fails to disclose all the limitations of an independent claim, then the reference cannot disclose all of the limitations of a claim dependent upon the independent claim. Thus, for all the reasons stated above with respect to Claim 1, Arnold does not render Claim 2 unpatentable.

In addition to all the limitations of Claim 1, Claim 2 includes the following: **a second dynamic page file for generating a second electronic store page, said dynamic page file including second instructions to use information identifying a manufacturer as a query parameter to obtain said second data from said product database, said second data included in said second electronic store page, said second dynamic page file stored on said computer readable medium.** The Examiner cited Figures 1A, 1B, 2 and 24, and also column 4, lines 1-32 and column 7, lines 40-66 as disclosing the above portion of Claim 2.

The cited figures from Arnold do not disclose any part of the quoted portion of Claim 2. At column 4, lines 1-32, Arnold describes a Web page with a visual indication of a product and link associated with the product, the link identifying a merchant Web page, a virtual outlet, and a return Web page of the virtual outlet. Arnold further describes that when a customer selects the product for purchase, the merchant Web page is requested, is modified to include a return link to the return Web page of the virtual outlet, and is then sent to the customer. After purchase from

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the merchant Web page occurs, according to Arnold, the customer computer uses the return link to display the return Web page of the virtual outlet. Neither this description, nor that at column 7, lines 40-66 (discussed above) discloses the **second dynamic page file** recited in Claim 2.

Arnold nowhere discloses any instructions (within a dynamic page file or otherwise) for using information identifying a manufacturer as a query parameter to obtain data representing a competing product from a product database. Because Arnold does not disclose each and every limitation of Claim 2, Arnold does not render Claim 2 unpatentable.

Additionally, Claim 2's second dynamic page file with instructions for using information identifying a manufacturer provides further distinction over the cited prior art, demonstrating that Claim 2 is separately patentable.

3. Claims 3, 4 and 5 are Allowable over Arnold

Claims 3, 4 and 5 are all dependent upon Claim 1, though Claims 3 and 5 are further dependent upon intermediate claims. Nevertheless, for all the reasons stated above with respect to Claim 1, Arnold does not render Claims 3, 4 and 5 unpatentable. Because Claim 3 is dependent upon Claim 2, Arnold does not render Claim 3 unpatentable for the same reasons (stated above) it does not render Claim 2 unpatentable.

4. Claim 6 is Allowable over Arnold

Claim 6 is dependent upon Claim 1, and thus for all the reasons stated above with respect to Claim 1, Arnold does not render Claim 6 unpatentable.

In addition, Claim 6 also recites:

a cost savings form on said electronic store page, said cost savings form receiving competing cost information about said competing product, said customer browser transmitting said cost information to said page server; and second instructions in said dynamic page file for comparing said competing cost information and said product cost information to calculate cost savings information, said product information server providing said savings information to said customer.

The Examiner cited Arnold, Figures 1A and 1B and column 6, lines 35-49 and column 4, lines 1-32 as disclosing each and every limitation of Claim 6. Appellant has studied those

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portions of Arnold, and the remainder of Arnold, and can find no disclosure of the limitations of Claim 6.

Arnold describes a virtual outlet computer having a multi-merchant accounting system (MMAC). *See Arnold*, col. 6, lines 35-49. According to Arnold, the MMAC can, for example, during off hours, download information relating to daily transactions from merchant Web sites with which the virtual outlet has established a relationship. *Id.* But Arnold discloses nothing more about the MMAC.

Arnold nowhere discloses anything about a **cost savings form** that receives competing cost information about a competing product. Nor does Arnold in any way disclose **comparing competing cost information and product cost information or calculating cost savings information**. Further, Arnold discloses no **instructions in a dynamic page file for comparing cost information to calculate cost savings information**.

Because Arnold fails to disclose each and every limitation of Claim 6, Arnold does not render Claim 6 unpatentable.

In addition, Claim 6's cost savings form, its comparing of competing cost information and product cost information, and its calculating cost savings information provide further patentable distinction over the cited prior art, demonstrating that Claim 6 is separately patentable.

5. Claim 7 is Allowable over Arnold

Claim 7 reads as follows:

7. A method for locating information about a product using information about a corresponding product, said method comprising the steps of:

transmitting with a page server at least one corresponding product hyperlink to a customer browser, said at least one corresponding product hyperlink operatively associated with a corresponding product identifier representing a corresponding product and operatively associated with a page file identifier representing a corresponding product page file;

receiving with said customer browser said corresponding product hyperlink; displaying with said customer browser information identifying a product, a portion of said displayed information selectable to activate said corresponding product hyperlink; and

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responding to a selection of said portion by transmitting to said page server a request for said corresponding product page file and by transmitting to said page server said product identifier.

As the following discussion shows, Arnold nowhere discloses any method for locating information about a product using information about a competing product, and certainly does not disclose the steps in Claim 7 for doing so.

The Examiner first addressed the portion of Claim 7 that reads: **transmitting with a page server at least one corresponding product hyperlink to a customer browser, said at least one corresponding product hyperlink operatively associated with a corresponding product identifier representing a corresponding product and operatively associated with a page file identifier representing a corresponding product page file.** The Examiner cited to Arnold, figure 24 and to column 5, lines 24-66 as disclosing this portion of Claim 7.

Figure 24 provides no disclosure of the corresponding product hyperlink recited in Claim 7. At column 5, lines 24-66, Arnold describes a virtual outlet Web page showing a graphical image of a product, such as blue jeans or a shirt. The image, according to Arnold, has a URL associated with it that is a hot link to a Web page provided by the merchant of the product. *Id.* The customer may select the image to access the merchant Web page to find out more about the product or to purchase it. The URL used to access the merchant Web page includes a unique identification of the virtual outlet that may be used by the merchant to track from which virtual outlet an order was placed, or may be used to return the customer to the virtual outlet upon completion of an order. *Id.* In short, Arnold discloses displaying a graphical image of a product having an associated hot link to a merchant Web page, the image selectable to learn more about or buy the product. But Arnold does not disclose the **corresponding product hyperlink** of Claim 7, which is **operatively associated with a corresponding product identifier representing a corresponding product and also operatively associated with a page file identifier representing a corresponding product page file.** Thus, Arnold does not disclose each and every limitation of Claim 7.

The Examiner also addressed the portion of Claim 7 that reads: **displaying with said customer browser information identifying a product, a portion of said displayed information selectable to activate said corresponding product hyperlink, and responding to a selection of**

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said portion by transmitting to said page server a request for said corresponding product page file and by transmitting to said page server said product identifier. The Examiner cited only Figures 2 and 24 and column 5, lines 24-66 (discussed above) from Arnold as disclosing this portion of Claim 7.

While Arnold describes displaying information identifying a product, Arnold nowhere describes that the displayed information is selectable to activate a corresponding product hyperlink. Nor does Arnold disclose responding to such selection by transmitting a request for a corresponding page file and also by transmitting a corresponding product identifier. Rather than generating a request related to a corresponding product, Arnold merely discloses generating a request related to the very same product selected. In contrast, Appellant's invention includes selecting displayed product information to generate a request related to a different, but corresponding product. Thus, again, Arnold does not disclose each and every limitation of Claim 7. Thus, Claim 7 is not rendered unpatentable by Arnold.

6. Claim 8 is Allowable over Arnold

Claim 8 is dependent upon Claim 7. Thus, for the reasons stated above with respect to Claim 7, Arnold likewise fails to disclose each and every limitation of Claim 8.

Claim 8 additionally includes, in part:

processing instructions in said page file to use said identifier to obtain data representing a corresponding product . . .

The Examiner cited to Figures 1A, 1B and 24 and to column 6, lines 50-64 to argue that Arnold discloses these limitations of Claim 8. But none of those portions of Arnold disclose any processing instructions or any page file, and certainly do not disclose instructions in a page file that use an identifier to obtain data representing a corresponding product. Rather, the cited portion of Arnold merely describes providing to a merchant computer a return link to a virtual outlet and giving the virtual outlet access to multiple merchants' accounting pages. Arnold does not disclose each and every limitation of Claim 8, and thus cannot render Claim 8 unpatentable. Additionally, Claim 8's page file instructions that use an identifier to obtain data representing a corresponding product provide further distinction over the cited prior art and demonstrate that Claim 8 is separately patentable.

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7. Claim 9 is Allowable over Arnold

Because Claim 9 is dependent upon both Claim 7 and Claim 8, Arnold does not disclose each and every limitation of Claim 9 for all the reasons provided above with respect to Claims 7 and 8.

Claim 9 additionally includes, in part:

at least one manufacturer hyperlink operatively associated with a manufacturer identifier representing a manufacturer and operatively associated with a second page file identifier representing a manufacturer product list page file . . .

The Examiner cited to Figure 24 and to column 6, lines 50-64 and column 7, lines 20-29 to argue that Arnold discloses this portion of Claim 9. Neither Figure 24 nor column 6, lines 50-64 (discussed above) disclose a **manufacturer hyperlink that is operatively associated with a manufacturer identifier representing a manufacturer and that is also operatively associated with a second page file identifier representing a manufacturer product list page file**. Likewise, the text at column 7, lines 20-29 merely states that a large number of virtual outlets and merchants may be desirable and that they need not reside on separate computers. That text does not disclose the manufacturer hyperlink of Claim 9. Again, Arnold does not disclose each and every limitation of Claim 9, and thus Arnold does not render Claim 9 unpatentable.

Also, Claim 9's manufacturing hyperlink provides further patentable distinction over the cited prior art, and the demonstrates that Claim 9 is separately patentable.

8. Claim 10 is Allowable over Arnold

Claim 10 is dependent upon Claims 7, 8 and 9, and thus Arnold does not disclose all the limitations of Claim 10 for all the reasons provided above with respect to Claims 7, 8 and 9.

Moreover, Claim 10 additionally recites, in part:

processing second instructions in said manufacturer product list page file to use said manufacturer identifier to obtain data representing products of said manufacturer . . .

The Examiner cited to Figure 24 and to column 6, lines 50-64 and column 7, lines 20-29 to argue that Arnold discloses this portion of Claim 10. However, nothing in these sections of

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Arnold (discussed and summarized above) discloses any **instructions in a manufacturer product list page file**. Certainly, Arnold nowhere discloses any **instructions in a page file that are processed to use a manufacturer identifier to obtain data representing products of the manufacturer**. Thus, for that additional reason, Arnold does not disclose each and every limitation of Claim 10, and does not render Claim 10 unpatentable.

Also, Claim 10's instructions in a page file which are processed to use a manufacturer identifier to obtain data representing products of the manufacturer provide further distinction from the cited prior art and demonstrate that Claim 10 is separately patentable.

9. Claim 11 is Allowable over Arnold

Claim 11 reads as follows:

11. An e-store dynamic page file comprising:
 - static content including content identification tags which may be interpreted to format said content;
 - script components including:
 - connection instructions to establish a connection to a product database;
 - query instructions to query said product database using a search key provided to said query instructions as a parameter, and to thereby obtain a recordset including at least one record, each of said at least one records including information about competing products; and
 - hyperlink creation instructions to create a hyperlink for each of said at least one records, each hyperlink referencing a corresponding product page file for transmitting information about a corresponding product, each hyperlink including an identifier representing a corresponding product.

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The Examiner cited Figures 1A and 1B and column 7, lines 20-66 of Arnold to argue that Arnold renders Claim 11 unpatentable. But neither those figures nor column 7, nor any other portion of Arnold discloses **a page file having:** (1) **connection instructions** to establish a connection to a product database; (2) **query instructions** to use a search key to query a product database to obtain records including information about competing product; and (3) **hyperlink creation instructions** to create a hyperlink for each of the records. Nothing in Arnold even comes close to disclosing or suggesting a page file that includes all of these types of instructions. Arnold simply has no disclosure of any of these elements of Claim 11. Because Arnold does not disclose each and every element of Claim 11, Arnold does not render Claim 11 unpatentable.

Moreover, Claim 11's connection instructions, query instructions and hyperlink creation instructions provide further distinction over the cited prior art and demonstrate that Claim 11 is separately patentable.

10. Claim 12 is Allowable over Arnold

Claim 12 is dependent upon Claim 11, and thus, for all the reasons stated in connection with Claim 11, Arnold does not render Claim 12 unpatentable.

Moreover, Claim 12 additionally includes: **a cost savings form including at least one text entry field for accepting competing cost information related to the cost of said competing products and including a cost savings hyperlink, the cost savings hyperlink referencing a corresponding product page file for transmitting information about a difference in cost between said products and said competing products, the cost savings hyperlink including an identifier representing a corresponding product and at least one cost identifier representing said competing cost information.** The Examiner cited Figures 1A and 1B and column 7, lines 20-66 of Arnold to argue that Arnold renders Claim 12 unpatentable.

Appellant reviewed those cited portions of Arnold, and the rest of Arnold in its entirety, and found no disclosure or suggestion of a cost savings form that includes a text entry field for accepting competing cost information and also includes a cost savings hyperlink. Moreover, Appellant found no disclosure or suggestion of a cost savings hyperlink that references a corresponding product page file for transmitting information about a difference in cost between products and competing products. Additionally, Appellant found no disclosure or suggestion of a

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cost savings hyperlink having two identifiers, one representing a corresponding product and the other representing competing cost information.

To review again the disclosure relied upon by the Examiner: Arnold discloses that many virtual outlet Web pages may operate with many merchant Web pages, wherein a virtual outlet Web page may display an image of a product that is selectable by a user. In selecting the product image, Arnold discloses that a customer accesses a merchant Web page to find out more about that very same product or buy it. To determine the layout of the merchant Web page that is presented to the customer, Arnold discloses that a merchant computer accesses a database and dynamically creates the merchant Web page according to the layout in the database, and then sends the Web page to the customer. Once a customer finishes reviewing product information or buying the product, Arnold discloses that the customer is returned to the virtual outlet Web page. *See Arnold*, col. 7, lines 20-66.

Nothing in that disclosure, or any other part of Arnold, even hints at a cost savings form or cost savings hyperlink as recited in Claim 12. Thus, Arnold does not disclose each and every limitation of Claim 12 and does not, therefore, render Claim 12 unpatentable.

Additionally, Claim 12's cost savings form and cost savings hyperlink provide further patentable distinction over the cited prior art, showing that Claim 12 is separately patentable.

11. Claim 13 is Allowable over Arnold

Claim 13 is dependent upon Claims 11 and 12, and thus, for all the reasons stated in connection with Claims 11 and 12, Arnold does not render Claim 13 unpatentable.

Moreover, Claim 13 additionally includes: **form placement instructions for generating said cost savings form once for each of said at least one records**. The Examiner cited column 6, lines 35-49 to argue that Arnold renders Claim 13 unpatentable.

The disclosure relied upon by the Examiner refers to a multi-merchant accounting system that can collate and present information from merchants to a representative of a virtual outlet. *See Arnold*, col. 6, lines 35-49. But that disclosure simply does not refer to any instructions in script components of a page file for generating a cost savings form, and certainly Arnold nowhere discloses anything about generating a cost savings form once for each record that includes information about a competing product. In fact, Arnold is completely silent about competing

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products. Thus, for this additional reason, Arnold does not disclose each and every limitation of Claim 13 and does not render Claim 13 unpatentable.

Also, Claim 13's form placement instructions in script components of a page file demonstrate further patentable distinction over the prior art, and show that Claim 13 is separately patentable.

12. Claim 14 is Allowable over Arnold

Claim 14 reads as follows:

14. A system for locating information about products, said system comprising:
 - associating means for storing an association between a product and a corresponding product;
 - requesting means responsive to an identification of said product to request information about said corresponding product;
 - query means for using said identification of said product to access said associating means and to thereby obtain said information about said corresponding product;
 - information assembly means responsive to said request to invoke said query means and to format said information about said corresponding product; and
 - transmitting means for presenting to a customer said formatted information about said corresponding product.

Claim 14 recites three different means -- associating means, requesting means and query means -- that relate to both a product and a corresponding product. None of the cited portions of Arnold (abstract, Figures 1A, 1B and 2, column 7, lines 30-66) disclose or suggest, in any context, the use of both information about a product and information about a corresponding product. Rather, the entirety of Arnold is devoted to disclosing a system that allows a customer to locate a product on a virtual outlet and then retrieve more information about that very same product or buy the very same product.

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Nowhere does Arnold disclose, suggest or even hint at any **means for associating** a product and a different, but corresponding product. Nowhere does Arnold disclose, suggest or even hint at any **requesting means** that is responsive to an identification of a product to request information about a corresponding product. And nowhere does Arnold disclose, suggest or even hint at any **query means** that uses an identification of a product to obtain information about a corresponding product. Thus, Arnold does not disclose each and every limitation of Claim 14, and cannot and does not render Claim 14 unpatentable.

Additionally, Claim 14's associating means, requesting means and query means demonstrate further patentable distinction over the prior art, showing that Claim 14 is separately patentable.

13. Claim 15 is Allowable over Arnold

Claim 15 reads as follows:

15. A product browsing system comprising:
 - a server computer having a network connection;
 - a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said competing product, said product database residing on a computer readable medium of the server computer; and
 - a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said electronic store page transmitted via said network connection.

With respect to the product database recited in Claim 15, the Examiner cited Figures 1A and 1B and column 7, lines 20-66 to argue that Arnold discloses the product database. Appellant has discussed those cited portions of Arnold above, and, firstly, none of those portions (or any other portion of Arnold) discloses a product database. Secondly, Arnold nowhere discloses, in

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any context, the use of both data representing a product and data representing a competing product. Third, Arnold nowhere describes any association between a product and a competing product. Finally, Arnold nowhere discloses storing such an association or any type of product data in a database. Plainly, Arnold cannot and does not disclose the product database of Claim 15.

Next, with regard to the dynamic page file, the Examiner cited column 7, lines 20-66 of Arnold to argue that Arnold discloses the dynamic page file of Claim 15. Appellant carefully reviewed that cited portion of Arnold, and the remainder of Arnold, and found no disclosure or suggestion anywhere of any instructions of any kind for using data representing a competing product as a query parameter to obtain data representing a product. That lack of disclosure demonstrates that Arnold does not disclose the dynamic page file of Claim 15.

Arnold does not disclose either the product database or the dynamic page file of Claim 15. Thus, Arnold does not disclose each and every limitation of Claim 15 and cannot render Claim 15 unpatentable.

14. Claim 16 is Allowable over Arnold

Claim 16 reads as follows:

16. A method for retrieving information about a product using information about another product, said method comprising:

- a step for storing information on a first set of products;
- a step for storing information on a second set of products;
- a step for storing an association between the first set of products and the second set of products said association representing product equivalency;
- a step for establishing communication between a client computer and a server computer;
- a step for transmitting a product identifier from the first set of products to the server computer; and
- a step for receiving a competing product identifier from the second set of products.

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The Examiner cited Figures 1A and 1B and to column 7, lines 20-66 to argue that Arnold discloses the entirety of Claim 16. But neither those portions of Arnold, nor Arnold in its entirety discloses each and every limitation of Claim 16. First, Arnold nowhere discloses storing **an association between a first set of products and a second set of products**. Moreover, Arnold certainly never discloses that such **association represents product equivalency**. Finally, Arnold nowhere discloses a **competing product identifier**.

Thus, Arnold does not disclose each and every limitation of Claim 16, and does not render Claim 16 unpatentable.

Additionally, Claim 16's association representing product equivalency provides further patentable distinction over the prior art, thus showing that Claim 16 is separately patentable.

CONCLUSION

For the reasons stated above, the Board should reverse the rejections of all pending Claims 1-16.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/28/02

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IX. APPENDIX

A. Claims Involved In The Appeal

1. A system for browsing products using competitor information, the system comprising:

 a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said competing product, said product database stored on a computer readable medium;

 a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said dynamic page file stored on said computer readable medium; and

 a product information server responsive to a customer request for said electronic store page to access said dynamic page file, to process said instructions and to provide said electronic store page to said customer, said product information server running on a computer operably connected to said computer readable medium.

2. The system as described in Claim 1, wherein said product database includes data representing an association between a manufacturer and said second data, said system further comprising:

 a second dynamic page file for generating a second electronic store page, said dynamic page file including second instructions to use information identifying a manufacturer as a query parameter to obtain said second data from said product database, said second data included in said second electronic store page, said second dynamic page file stored on said computer readable medium.

3. The system as described in Claim 2, wherein said product information server responds to a customer request for said second electronic store page by accessing said second dynamic page file, by processing said second instructions, and by providing said second electronic store page to said customer.

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4. The system as described in Claim 1 further comprising:

an electronic store page having a hyperlink responsive to a customer selection of said hyperlink to generate said request.

5. The system as described in Claim 4 further comprising:

a customer browser which transmits said second data to said page server upon said selection of said hyperlink.

6. The system as described in Claim 5, wherein said product database includes product cost information related to said product, further comprising:

a cost savings form on said electronic store page, said cost savings form receiving competing cost information about said competing product, said customer browser transmitting said cost information to said page server; and

second instructions in said dynamic page file for comparing said competing cost information and said product cost information to calculate cost savings information, said product information server providing said savings information to said customer.

7. A method for locating information about a product using information about a corresponding product, said method comprising the steps of:

transmitting with a page server at least one corresponding product hyperlink to a customer browser, said at least one corresponding product hyperlink operatively associated with a corresponding product identifier representing a corresponding product and operatively associated with a page file identifier representing a corresponding product page file;

receiving with said customer browser said corresponding product hyperlink;

displaying with said customer browser information identifying a product, a portion of said displayed information selectable to activate said corresponding product hyperlink; and

responding to a selection of said portion by transmitting to said page server a request for said corresponding product page file and by transmitting to said page server said product identifier.

8. The method as described in Claim 7, comprising the further steps of:

receiving with said page server said request for said corresponding product page file and said identifier;

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processing instructions in said page file to use said identifier to obtain data representing a corresponding product; and

transmitting with said page server to a customer browser said data representing said corresponding product.

9. The method as described in Claim 8, comprising the further steps of:

transmitting with said page server at least one manufacturer hyperlink to a customer browser, said at least one manufacturer hyperlink operatively associated with a manufacturer identifier representing a manufacturer and operatively associated with a second page file identifier representing a manufacturer product list page file;

receiving with said customer browser said manufacturer hyperlink;

displaying with said customer browser second information identifying said manufacturer, a portion of said displayed second information selectable to activate said manufacturer hyperlink; and

responding to a selection of said portion of said second information by transmitting to said page server a request for said manufacturer product list page file and by transmitting to said page server said manufacturer identifier.

10. The method as described in Claim 9, comprising the further steps of:

receiving with said page server said request for said manufacturer product list page file and said manufacturer identifier;

processing second instructions in said manufacturer product list page file to use said manufacturer identifier to obtain data representing products of said manufacturer; and

transmitting with said page server to a customer browser said data representing said products of said manufacturer.

11. An e-store dynamic page file comprising:

static content including content identification tags which may be interpreted to format said content;

script components including:

connection instructions to establish a connection to a product database;

query instructions to query said product database using a search key provided to said query instructions as a parameter, and to thereby obtain a

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recordset including at least one record, each of said at least one records including information about competing products; and

hyperlink creation instructions to create a hyperlink for each of said at least one records, each hyperlink referencing a corresponding product page file for transmitting information about a corresponding product, each hyperlink including an identifier representing a corresponding product.

12. The e-store dynamic page file as described in Claim 11 further comprising:
a cost savings form including at least one text entry field for accepting competing cost information related to the cost of said competing products and including a cost savings hyperlink, the cost savings hyperlink referencing a corresponding product page file for transmitting information about a difference in cost between said products and said competing products, the cost savings hyperlink including an identifier representing a corresponding product and at least one cost identifier representing said competing cost information.

13. The e-store dynamic page file as described in Claim 12 wherein said script components further include:

form placement instructions for generating said cost savings form once for each of said at least one records.

14. A system for locating information about products, said system comprising:
associating means for storing an association between a product and a corresponding product;
requesting means responsive to an identification of said product to request information about said corresponding product;
query means for using said identification of said product to access said associating means and to thereby obtain said information about said corresponding product;
information assembly means responsive to said request to invoke said query means and to format said information about said corresponding product; and
transmitting means for presenting to a customer said formatted information about said corresponding product.

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15. A product browsing system comprising:
 - a server computer having a network connection;
 - a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said competing product, said product database residing on a computer readable medium of the server computer; and
 - a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said electronic store page transmitted via said network connection.
16. A method for retrieving information about a product using information about another product, said method comprising:
 - a step for storing information on a first set of products;
 - a step for storing information on a second set of products;
 - a step for storing an association between the first set of products and the second set of products said association representing product equivalency;
 - a step for establishing communication between a client computer and a server computer;
 - a step for transmitting a product identifier from the first set of products to the server computer; and
 - a step for receiving a competing product identifier from the second set of products.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/213,138	12/16/1998	GEORGE A. LOPEZ	ICUMM.110A	7376

20995 7590 04/02/2002

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EXAMINER

WASYLCHAK, STEVEN R

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary



Application No.

09/213,138

Applicant(s)

LOPEZ ET AL.

Examiner

Steven R. Wasylchak

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 12/16/98

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-16 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

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Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

4) Interview Summary (PTO-413) Paper No(s) _____

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____



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DETAILED ACTION

1. In view of the appeal brief filed on Jan. 9, 2002, PROSECUTION IS HEREBY REOPENED.

New grounds of rejection are new prior art consisting of Arnold et al set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-16 rejected under 35 U.S.C. 102(e) as being anticipated by Arnold et al (US 6,016,504).

CL1,

A system for browsing products using competitor information, the system comprising:

-a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said competing product, said product database stored on a computer readable medium; / fig 1A,B; claim 2, 27

-a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said dynamic page file stored on said computer readable medium; and / abstract; fig 1A,B; col 7, L 40-66

-a product information server responsive to a customer request for said electronic store page to access said dynamic page file, to process said instructions and to provide said electronic store page to said customer, said product information server running on a computer operably connected to said computer readable medium. / abstract; fig 1A,B; col 7, L 40-66

CL 2,

The system as described in Claim 1, wherein said product database includes data representing an association between a manufacturer and said second data, said system further comprising:

-a second dynamic page file for generating a second electronic store page, said dynamic page file including second instructions to use information identifying a manufacturer as a query parameter to obtain said second data from said product database, said second data included in said second

electronic store page, said second dynamic page file stored on said computer readable medium. / abstract; fig 1A,B; fig 2,24; col 4, L 1-32; col 7, L 40-66

CL 3,

The system as described in Claim 2, wherein said product information server responds to a customer request for said second electronic store page by accessing said second dynamic page file, by processing said second instructions, and by providing said second electronic store page to said customer. / fig 1A,B; fig 2,24; col 4, L 1-32

CL 4,

The system as described in Claim 1 further comprising:

-an electronic store page having a hyperlink responsive to a customer selection of said hyperlink to generate said request. / col 4, L 1-32

CL 5,

The system as described in Claim 4 further comprising:

-a customer browser which transmits said second data to said page sever upon said selection of said hyperlink / fig 1A,B; fig 2,24

CL 6,

The system as described in Claim 5, wherein said product database includes product cost information related to said product, further comprising:

-a cost savings form on said electronic store page, said cost savings form receiving competing cost information about said competing product, said customer browser transmitting said cost information to said page server; and / fig 1A,B; col 6, L 35-49

-second instructions in said dynamic page file for comparing said competing cost information and said product cost information to calculate cost savings information, said product information server providing said savings information to said customer. / fig 1A,B; col 4, L 1-32; col 6, L 35-49

CL 7,

A method for locating information about a product using information about a corresponding product, said method comprising the steps of

- transmitting with a page server at least one corresponding product hyperlink to a customer browser, said at least one corresponding product hyperlink operatively associated with a corresponding product identifier representing a corresponding product and operatively associated with a page file identifier representing a corresponding product page file; / fig 24; col 5, L 24-66
- receiving with said customer browser said corresponding product hyperlink; / fig 24; col 4, L 1-32
- displaying with said customer browser information identifying a product, a portion of said displayed information selectable to activate said corresponding product hyperlink; and / fig 2, 24
- responding to a selection of said portion by transmitting to said page server a request for said corresponding product page file and by transmitting to said page server said product identifier / fig 24; col 5, L 24-66

CL 8,

The method as described in Claim 7, comprising the further steps of

- receiving with said page server said request for said corresponding product page file and said identifier; / fig 1A,B; fig 24; col 5, L 24-66
- processing instructions in said page file to use said identifier to obtain data representing a corresponding product; and / fig 24; col 6, L 50-64
- transmitting with said page server to a customer browser said data representing said corresponding product. / fig 1A,1B

CL 9,

The method as described in Claim 8, comprising the further steps of

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-transmitting with said page server at least one manufacturer hyperlink to a customer browser, said at least one manufacturer hyperlink operatively associated with a manufacturer identifier representing a manufacturer and operatively associated with a second page file identifier representing a manufacturer product list page file; / fig 24; col 6, L 50-64; col 7, 20-29

-receiving with said customer browser said manufacturer hyperlink: / fig 1A,B; col 7, L 20-29

-displaying with said customer browser second information identifying said manufacturer, a portion of said displayed second information selectable to activate said manufacturer hyperlink; and / fig 1A,B; col 7, L 20-29

-responding to a selection of said portion of said second information by transmitting to said page server a request for said manufacturer product list page file and by transmitting to said page server said manufacturer identifier / fig 24; col 6, L 50-64; col 7, 20-29

CL 10,

The method as described in Claim 9, comprising the further steps of

-receiving with said page server said request for said manufacturer product list page file and said manufacturer identifier; / fig 1A,B; fig 24; col 6, L 50-64; col 7, 20-29

-processing second instructions in said manufacturer product list page file to use said manufacturer identifier to obtain data representing products of said manufacturer; and / fig 24; col 6, L 50-64; col 7, 20-29

-transmitting with said page server to a customer browser said data representing said products of said manufacturer. / fig 1A,B; fig 2, fig 24; col 6, L 50-64; col 7, 20-29

CL 11,

An e-store dynamic page file comprising:

static content including content identification tags which may be interpreted to format said content; / script components including:

-connection instructions to establish a connection to a product database; / col 7, L 30-66
-query instructions to query said product database using a search key provided to said query
instructions as a parameter, and to thereby obtain a recordset including at least one record, each of
said at least one records including information about competing products; and / col 7, L 30-66
-hyperlink creation instructions to create a hyperlink for each of said at least one records, each
hyperlink referencing a corresponding product page file for transmitting information about a
corresponding product, each hyperlink including an identifier representing a corresponding product. /
fig 1A,B; col 7, L 20-29; col 7, L 30-66

CL 12,

The e-store dynamic page file as described in Claim 11 further comprising:

-a cost savings form including at least one text entry field for accepting competing cost information
related to the cost of said competing products and including a cost savings hyperlink, the cost savings
hyperlink referencing a corresponding product page file for transmitting information about a difference
in cost between said products and said competing products, the cost savings hyperlink including an
identifier representing a corresponding product and at least one cost identifier representing said
competing cost information. / fig 1A,B; col 7, L 20-66

CL 13,

The e-store dynamic page file as described in Claim12 wherein said script components further
include:

-form placement instructions for generating said cost savings form once for each of said at least one
records. / col 6, L 35-49

CL 14,

A system for locating information about products, said system comprising:

-associating means for storing an association between a product and a corresponding

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product; / col 7, L 30-66

-requesting means responsive to an identification of said product to request information

about said corresponding product; / abstract; fig 2

-query means for using said identification of said product to access said associating means and to thereby obtain said information about said corresponding product; / abstract; fig 1A,B

-information assembly means responsive to said request to invoke said query means and to format said information about said corresponding product; and / abstract; fig 1A,B

-transmitting means for presenting to a customer said formatted

information about said corresponding product. / col 7, L 60 to col 8, L 6

CL 15,

A product browsing system comprising:

-a server computer having a network connection; / fig 1A; col 5, L 24-40

-a product database including first data representing a product, including second data representing a competing product, and including third data representing an association between said product and said product and said competing product, said product database residing on a computer readable medium of the server computer; and / fig 1A,B; col 7, L 20-66

-a dynamic page file for generating an electronic store page, said dynamic page file including instructions to use said second data as a query parameter to obtain said first data from said product database, said first data included in said electronic store page, said electronic store page transmitted via said network connection. / col 7, L 20-66

CL 16,

A method for retrieving information about a product using information about another product, said method comprising:

-a step for storing information on a first set of products; / fig 1B; col 7, L 20-66

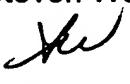
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- a step for storing information on a second set of products; / fig 1B; col 7, L 20-66
- a step for storing an association between the first set of products and the second set of products said association representing product equivalency/ fig 1B; col 7, L 20-66
- a step for establishing communication between a client computer and a server computer; / fig 1A
- a step for transmitting a product identifier from the first set of products to the server computer; and/ fig 1A,B; col 7, L 20-66
- a step for receiving a competing product identifier from the second set of products./ fig 1A,B; col 7, L 20-66

This action is Non-Final. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 2164 is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Steven Wasylchak

3/23/02



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